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## Congress of the United States

April 7, 2006

Committee on Education  
and the Workforce

Permanent Select Committee  
on Intelligence

Member  
Congressional Arts Caucus  
Congressional Working Group on Children  
Congressional Fire Services Caucus  
Sustainable Development Caucus  
Internet Caucus  
Law Enforcement Caucus

Congressman Peter Hoekstra  
Chairman  
House Permanent Select Committee on Intelligence  
The Capitol  
Washington, D.C. 20515

Dear Chairman Hoekstra,

I write today with hope that we can find common ground on a pressing national security matter.

As you know, yesterday, we learned that the Vice President's former chief of staff, I. Lewis "Scooter" Libby, testified under oath that President Bush authorized him, through the Vice President, to selectively leak portions of the National Intelligence Estimate on Iraq's weapons of mass destruction programs to the media in 2003. On page 23 of his April 5, 2006 filing with the federal court, Special Counsel Patrick Fitzgerald revealed the following regarding Mr. Libby's testimony on this matter:

Defendant testified that he thought he brought a brief abstract of the NIE's key judgments to the meeting with Miller on July 8. Defendant understood that he was to tell Miller, among other things, that a key judgment of the NIE held that Iraq was "vigorously trying to procure" uranium.

**Defendant testified that this July 8th meeting was the only time he recalled in his government experience when he disclosed a document to a reporter that was effectively declassified by virtue of the President's authorization that it be disclosed. (emphasis added)**

I, too, have never heard of a circumstance in which a President of the United States authorized a subordinate to selectively leak portions of a highly classified NIE to members of the press while also concealing that selective declassification from Congress and the intelligence community. Though President Bush has the authority to declassify information unilaterally, we know almost nothing about how he chooses to do so. What is the process? With whom does he consult? What standards are used? What purposes are legitimate – or should be legitimate – for the exercise of this authority? When, if ever, will Congress and the intelligence community be notified when information is unilaterally declassified?

As you know, I have been trying for nearly two years to get information that would enable Congress to know how the Administration handles deeply sensitive classified information. Had the Committee acted favorably on my previous Resolutions of Inquiry, for example, we would have gained valuable information pertaining to this matter long ago. Without a full understanding of how the Executive Branch is handling – or, conversely, mishandling – classified information, Congress will remain unable to be the check and balance that the Constitution requires. This is the true regardless of who occupies the White House or which party controls the Congress.

I am formally requesting that the full House Permanent Select Committee on Intelligence (HPSCI) conduct an investigation into this matter, including, as appropriate, open hearings. The committee clearly has an obligation to provide oversight in this area, and we must not shy from it. I hope that you will agree.

Sincerely,

A handwritten signature in black ink that reads "Rush Holt". The signature is written in a cursive, flowing style.

RUSH HOLT  
Member of Congress